

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

**FILED**  
UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO

JOSEPH EDWARD SLOAN, BRYON Z. MOLDO,  
Chapter 7 Trustee - In re JOSEPH EDWARD SLOAN, Debtor,

SEP 17 2001

Plaintiffs,

*R. Shumacher*  
CLERK

vs.

No. CIV 00 702 BB/WWD (ACE)

STATE FARM MUTUAL AUTOMOBILE  
INSURANCE COMPANY, a foreign corporation,  
and RANDAL W. ROBERTS, ESQ.,

Defendants.

**PLAINTIFFS' DAUBERT MOTION TO EXCLUDE TESTIMONY  
OF DEFENDANT'S EXPERT TONY SCHRADER REGARDING  
INSURANCE BAD FAITH**

Plaintiffs, by and through their attorneys of record, Vigil & Vigil, P.A. (Lisa K. Vigil, Esq.) and Steve Vogel, Esq., hereby move the Court to block Tony Schrader the opponent's expert, from testifying on the following issues:

1. Whether Defendant's expert, Tony Schrader, is qualified to testify as an expert on the issue of insurance bad faith, as he does not know the standards in the industry for bad faith and could not testify at his deposition as to the standard.
2. Whether Mr. Schrader's qualifications are reliable under standards for admissibility for expert testimony.

In support of this Motion, Plaintiffs submit the attached Memorandum of Law.


Counsel for Defendant State Farm Insurance has been contacted and does not concur in

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this motion.

Respectfully submitted,

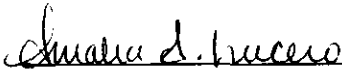
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for LISA K. VIGIL  
Attorneys for Plaintiffs

-and-

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Attorneys for Plaintiffs

I hereby certify that a true and correct  
copy of the foregoing pleading was forwarded  
by regular mail to opposing counsel of record  
this 17<sup>th</sup> day of September, 2001.

  
for Lisa K. Vigil, Esq.